

IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
BIG DRY CREEK - BASIN (40D)  
PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANTS: Shelley Ryan; Thomas L. Ryan

**CASE 40D-0289-R-2022**

40D 14185-00  
40D 169358-00  
40D 169378-00  
40D 169381-00  
40D 169382-00  
40D 169387-00  
40D 169392-00

**NOTICE OF FILING OF MASTER'S REPORT**

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

## **MASTER'S REPORT**

Claims 40D 14185-00, 40D 169358-00, 40D 169378-00, 40D 169381-00, 40D 169382-00, 40D 169387-00, and 40D 169392-00 are rights owned by Shelley and Thomas Ryan. The claims were decreed DNRC issue remarks. No objections, counterobjections, or NOIAs were filed. The claims are consolidated into Water Court Case 40D-0289-R-2022.

### **FINDINGS OF FACT**

1. Claim 40D 14185-00 has issue remarks stating

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE NWSWSE SEC 12, T17N, R37E, GARFIELD COUNTY.

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

2. It appears DNRC modified the point of diversion and reservoir record for this claim based on its examination of the aerial photos and claim file. By changing the description of the location of the reservoir, the place of use no longer matches. The place of use description should be changed as well, given this is stock reservoir. The correct legal land description is NWSWSE Sec. 12, Twp. 17N, Rge. 37E.

3. Claim 40D 169358-00 has an issue remark stating the type of historical right is missing. The Statement of Claim has no notice of appropriation or decree case attached to it. Therefore, a designation of a use right is appropriate, and "Use" shall be added to the claim.

4. Claim 40D 169378-00, 40D 169381-00, 40D 169382-00, and 40D 169392-00 have three issue remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

5. These issue remarks are notice-only type and will be removed automatically in the event of no objections. These claims received no objections.

6. Claim 40D 169387-00 received the following issue remarks:  
NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

7. Claim 40D 169387-00 is a fish and wildlife claim. The standard flow rate for fish and wildlife claims is, “VF012 THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY TO SUSTAIN THIS PURPOSE. THIS RIGHT SHALL CONTINUE TO BE UTILIZED IN ACCORDANCE WITH HISTORICAL PRACTICES.”

#### CONCLUSIONS OF LAW

1. When resolving issue remarks, the Montana Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA.

2. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. Section 85-2-248(3), MCA.

3. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that an element of the prima facie claim is incorrect. This is the burden of

proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

4. The degree or weight of evidence needed to contradict or overcome the prima facie proof statute is a preponderance of the evidence. *Burkhartsmeier et al. v. Burkhartsmeier et al.*, Case 40G-2, (MT Water Court Memorandum Opinion and Order Adopting Master’s Report, Mar. 11, 1997). The Montana Supreme Court has defined preponderance as “a relatively modest standard that the statutory criteria are ‘more probable than not’ to have been met.” *Hohenlohe v. State*, 2010 MT 203 ¶ 33, 357 Mont. 438, 240 P.3d 628.

5. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Section 85-2-231(2), MCA.

6. The issues raised by issue remarks must be resolved as part of the adjudication process pursuant to Section 85-2-248, MCA.

#### RECOMMENDATIONS

The changes recommended above should be adopted. Post Decree Abstracts of Water Rights Claims are served with the Report to confirm that the recommendations have been made in the state’s centralized water right record system.

#### **ELECTRONICALLY SIGNED AND DATED BELOW.**

#### **Service via USPS Mail:**

Thomas L. Ryan  
Shelley Ryan  
PO Box 189  
Jordan, MT 59337

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BIG DRY CREEK**  
**BASIN 40D**

**Water Right Number:** 40D 14185-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337  
  
THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** DECEMBER 31, 1962  
**Type of Historical Right:** FILED  
**Purpose (use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	12	17N	37E	GARFIELD

**\*Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM  
**Reservoir:** ONSTREAM **Reservoir Name:** DE-SAYE NO.7

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSE	12	17N	37E	GARFIELD

**Diversion to Reservoir:** DIVERSION # 1  
**Dam Height:** 11.00 FEET  
**Depth:** 8.00 FEET  
**Surface Area:** 3.93 ACRES  
**Capacity:** 12.58 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 1  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSE	12	17N	37E	GARFIELD

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BIG DRY CREEK**  
**BASIN 40D**

**Water Right Number:** 40D 169358-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337

THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** JULY 31, 1907

**Type of Historical Right:** USE

**Purpose (use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			11	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				11	17N	37E	GARFIELD

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BIG DRY CREEK**  
**BASIN 40D**

**Water Right Number:** 40D 169378-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337

THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** OCTOBER 31, 1969

**Type of Historical Right:** USE

**Purpose (use):** FISH AND WILDLIFE

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 95.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESW	12	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNESW	12	17N	37E	GARFIELD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Depth:** 9.00 FEET

**Surface Area:** 4.96 ACRES

**Capacity:** 17.85 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESW	12	17N	37E	GARFIELD

---

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

169368-00

169378-00



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
BIG DRY CREEK  
BASIN 40D**

**Water Right Number:** 40D 169381-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337  
  
THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** OCTOBER 31, 1969  
**Type of Historical Right:** USE  
**Purpose (use):** FISH AND WILDLIFE  
**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  
**Volume:** 80.00 AC-FT  
**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	3	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM  
**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSE	3	17N	37E	GARFIELD

**Diversion to Reservoir:** DIVERSION # 1  
**Dam Height:** 11.00 FEET  
**Depth:** 8.00 FEET  
**Surface Area:** 8.36 ACRES  
**Capacity:** 26.75 ACRE-FEET  
  
THE DAM EXTENDS INTO THE SWNWSE , NESESW SEC 3 TWP 17N RGE 37E GARFIELD COUNTY.

**Period of Use:** JANUARY 1 TO DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSE	3	17N	37E	GARFIELD

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
BIG DRY CREEK  
BASIN 40D**

**Water Right Number:** 40D 169382-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337

THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** OCTOBER 31, 1970

**Type of Historical Right:** USE

**Purpose (use):** FISH AND WILDLIFE

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 95.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	11	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENENE	11	17N	37E	GARFIELD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 6.16 ACRES

**Capacity:** 19.71 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	11	17N	37E	GARFIELD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

169371-00

169382-00

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BIG DRY CREEK**  
**BASIN 40D**

**Water Right Number:** 40D 169387-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:**

SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337

THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** DECEMBER 31, 1907

**Type of Historical Right:** USE

**Purpose (use):** FISH AND WILDLIFE

**\*Flow Rate:**

THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY TO SUSTAIN THIS PURPOSE. THIS RIGHT SHALL CONTINUE TO BE UTILIZED IN ACCORDANCE WITH HISTORICAL PRACTICES.

**Volume:** 6.00 AC-FT

**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK

**Source Type:** SURFACE WATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			11	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** INSTREAM

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	11	17N	37E	GARFIELD
2			NESW	11	17N	37E	GARFIELD
3			SWSE	11	17N	37E	GARFIELD

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
BIG DRY CREEK  
BASIN 40D**

**Water Right Number:** 40D 169392-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** SHELLEY RYAN  
PO BOX 189  
JORDAN, MT 59337  
  
THOMAS L RYAN  
PO BOX 189  
JORDAN, MT 59337

**Priority Date:** OCTOBER 31, 1970  
**Type of Historical Right:** USE  
**Purpose (use):** FISH AND WILDLIFE  
**\*Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  
**Volume:** 120.00 AC-FT  
**Source Name:** UNNAMED TRIBUTARY OF SAND CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	1	17N	37E	GARFIELD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM  
**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
	SWNESW	1	17N	37E	GARFIELD

**Diversion to Reservoir:** DIVERSION # 1  
**Dam Height:** 13.00 FEET  
**Depth:** 10.00 FEET  
**Surface Area:** 4.70 ACRES  
**Capacity:** 18.80 ACRE-FEET  
**Period of Use:** JANUARY 1 TO DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SWNENW	1	17N	37E	GARFIELD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

169367-00

169392-00